



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

NOV 29 2016

THE ADMINISTRATOR

The Honorable Greg Abbott  
Governor of Texas  
Post Office Box 12428  
Austin, Texas 78711

Dear Governor Abbott:

I am writing to summarize the U.S. Environmental Protection Agency's most recent decisions relating to sulfur dioxide (SO<sub>2</sub>) air quality in your state. Exposure to SO<sub>2</sub> can cause a range of adverse health effects, including narrowing of the airways which can cause difficulty breathing and increased asthma symptoms. As required by the Clean Air Act, the EPA is moving forward to determine which areas are meeting the 2010 1-hour health-based National Ambient Air Quality Standard for SO<sub>2</sub>, which areas must take steps to reduce SO<sub>2</sub> pollution, and which areas we are presently unable to make a determination for based on available information.

On June 3, 2010, the EPA strengthened the health-based or "primary" standard for SO<sub>2</sub> by establishing a 1-hour standard at a level of 75 parts per billion. A March 2, 2015, court-ordered schedule<sup>1</sup>, required the agency to complete the remaining SO<sub>2</sub> designations by three specific deadlines: July 2, 2016, December 31, 2017, and December 31, 2020.

To meet the first of these deadlines, on June 30, 2016, the EPA designated seven areas in Texas that met the standard as "unclassifiable/attainment." One additional area did not have enough information to make a determination and was designated as "unclassifiable." As a supplement to the June 2016 action, the EPA is now designating four additional areas in Texas.

After reviewing all available data and information for this supplemental round of designations, the EPA has determined that there is insufficient information to determine whether Milam County, Texas meets the 2010 primary SO<sub>2</sub> standard. As a result, the EPA is designating this county as "unclassifiable." Consistent with EPA's August 21, 2015, SO<sub>2</sub> Data Requirements Rule, Texas is required for unclassifiable areas like Milam County that contain sources emitting over 2,000 tons of SO<sub>2</sub>, to provide additional information through air dispersion modeling or air quality monitoring that adequately demonstrates whether such an area meets the 2010 SO<sub>2</sub> standard. As an alternative, Texas may opt to establish new federally enforceable emission limits on sources that restrict their SO<sub>2</sub> emissions to below 2,000 tons per year.

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<sup>1</sup> *Sierra Club v. McCarthy*, No. 3-13-cv-3953 (SI) (N.D. Cal. Mar. 2, 2015).

In addition, we have determined three areas of your state violate the 2010 primary SO<sub>2</sub> standard. As directed by the CAA, the EPA is designating these areas as “nonattainment.” For nonattainment areas, section 192 of the CAA directs states to develop a State Implementation Plan that shows how each area will attain the SO<sub>2</sub> standard as quickly as possible, but no later than 5 years from the effective date of this designation. This plan needs to be submitted to the EPA within 18 months from the effective date of designation of the nonattainment area.

The enclosed table lists the four areas within Texas that the EPA is designating during this supplemental round of designations. A detailed explanation of EPA’s rationale for these designations is available in the Technical Support Document (TSD) for each area in your state. The TSDs are available on the web at: <https://www.epa.gov/sulfur-dioxide-designations/so2-designations-state-designations-round-2>. In addition, the docket contains a Response to Comments document that responds to general and, in many cases, area-specific comments raised in response to the EPA’s notice of availability published in the *Federal Register* in March 2016 and the letters informing you and other Governors of the EPA’s intended designations sent in February 2016. The final designations for the four areas will take effect 30 days after the notice I signed today is published in the *Federal Register*.

As provided in EPA’s SO<sub>2</sub> Data Requirements Rule, the EPA will designate all remaining areas in the U.S. by either December 31, 2017, or December 31, 2020. We expect that additional information collected as a result of the SO<sub>2</sub> Data Requirements Rule will inform these future actions. Our approach focuses resources on identifying and addressing unhealthy levels of SO<sub>2</sub> in areas where people are most likely to be exposed to violations of the standard.

Thank you for your work to improve air quality and protect public health. We look forward to continued work with you and your staff to implement the 2010 health-based SO<sub>2</sub> standard. For additional information regarding these designations, please visit our website at <https://www.epa.gov/sulfur-dioxide-designations/>.

Sincerely,



Gina McCarthy

Enclosure

Enclosure – Final Area Designations: November 29, 2016  
Texas

State	Area Name	County Name	Designation
Texas	Freestone and Anderson Counties, TX	Anderson (p) Freestone (p)	Nonattainment
	Rusk and Panola Counties, TX	Panola (p) Rusk (p)	Nonattainment
	Titus County TX	Titus (p)	Nonattainment
	Milam County, TX	Milam	Unclassifiable

(p) – partial county

Consistent with the final consent decree schedule, designations for the rest of the state will be addressed by either December 31, 2017, or December 31, 2020.

